

REMARKS:

This is a response to the Office Action dated January 11, 2004. In the communication, Examiner rejected claims 33, 38, and 62 are under 35 U.S.C. 103(a) as being unpatentable over Kapur et al. (Kapur) in view of Inagaki et al. (Inagaki). Examiner also rejected claims 34-37, 41 and 42, 93-96, 100, 101, 119, 120, 122, and 123 under 35 U.S.C. 103(a) as being unpatentable over Kapur in view of Inagaki, and further in view of Hattori et al. Claims 39 and 40 were also rejected under 35 U.S.C. 103(a) as being unpatentable over Kapur in view of Inagaki. Claims 97-99 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kapur in view of Inagaki as applied to claim 33, further in view of Hattori et al. Applicant has amended claim 33 and submits the following arguments for Examiner's consideration.

Claim 33 has been amended, taking into account the state of the art as shown by Kapur (US 5,037,283). The difference in the subject matter of the Kapur patent and that of claim 33 is that claim 33 has been amended to state that only the third longitudinal section has the one slot. In the original German application, the term "a slot" is written as "one slot". The Kapur patent discloses three slots and also a minimum of three blades in the description and the figures. Applicant contends that amended claim 33 is not anticipated by Kapur, and thus should be allowed. Furthermore, claims 38 and 62 should be allowed since they depend from claim 33.

Claims 34-37, 41, 42, 93-96, 100, 101, 119, 120, 122 and 123 are dependent from claim 33, and should be allowed over Kapur in view of Hattori (JP 61-149594). Furthermore, the cavities in the pending patent application are more free in shape and number. In the abstract of Hattori it is mentioned that the form is produced by precision casting such as investment casting. This expression is used in the context of metals. The pending application uses a method of

injection moulding, an expression used in the context of plastics. This method is described in the first paragraph of the detailed description of the invention.

Claims 39 and 40 depend from claim 33 and are patentable over Kapur in view of Inagaki. Claim 33 has been amended to overcome rejection based on Kapur. However, in view of claim 40, it is advantageous to use two supports instead of one support. The advantages lie in both function and the fabrication procedure by injection moulding of the rotor. Furthermore, the use of different diameters, especially a smaller diameter of a support is advantageous (see page 10, paragraph 0039). Therefore, the features of claims 39 and 40 are not only an aspect of design choice, but result in functional and fabrication.

Concerning claims 97-99, Applicant contends that these claims are patentable because claim 33 is patentable over Kapur in view of Inagaki and further in view of Hattori. Additionally, as stated above, the features of claims 97-99 are of advantage for the function and fabrication of the rotor.

With respect to this response, Applicant has amended and argued for allowance of the claims. Should the Examiner determine that additional adverse action is necessary, it is requested that the Examiner contact Applicant's attorney at (801) 533-0320 so that such matters may be resolved as expeditiously as possible. The Commissioner is hereby authorized to charge any amount owing for this case or to credit any overpayment to Account No. 502720

Dated this 12th day of April, 2004.

A handwritten signature in black ink, appearing to read "Randall B. Bateman", with a large, sweeping flourish at the end.

Randall B. Bateman
Reg. No. 37,774